

services if the station's inability to provide monetary or in-kind support to the project under the Memorandum of Understanding diminishes or jeopardizes the project's financial capabilities to fulfill its obligations.

(5) Under no circumstances shall a RSVP volunteer receive a fee for service from service recipients, their legal guardian, members of their family, or friends.

(d) *Labor and anti-labor activity.* The sponsor shall not use grant funds directly or indirectly to finance labor or anti-labor organization or related activity.

(e) *Fair labor standards.* A sponsor that employs laborers and mechanics for construction, alteration, or repair of facilities shall pay wages at prevailing rates as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, 40 U.S.C. 276a.

(f) *Nondiscrimination.* A sponsor or sponsor employee shall not discriminate against a RSVP volunteer on the basis of race, color, national origin, sex, age, religion, or political affiliation, or on the basis of disability, if the volunteer with a disability is qualified to serve.

(g) *Religious activities.* (1) A RSVP volunteer or a member of the project staff funded by the Corporation shall not give religious instruction, conduct worship services or engage in any form of proselytization as part of his/her duties.

(2) A sponsor or volunteer station may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use Corporation funds to support any inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this part.

(h) *Nepotism.* Persons selected for project staff positions shall not be related by blood or marriage to other project staff, sponsor staff or officers, or members of the sponsor Board of Di-

rectors, unless there is written concurrence from the Advisory Council or community group established by the sponsor under subpart B of this part, and with notification to the Corporation.

[64 FR 14135, Mar. 24, 1999, as amended at 69 FR 60095, Oct. 7, 2004]

§ 2553.92 What legal coverage does the Corporation make available to RSVP volunteers?

It is within the Corporation's discretion to determine if Counsel is employed and counsel fees, court costs, bail and other expenses incidental to the defense of a RSVP volunteer are paid in a criminal, civil or administrative proceeding, when such a proceeding arises directly out of performance of the volunteer's activities. The circumstances under which the Corporation may pay such expenses are specified in 45 CFR part 1220.

PART 2554—PROGRAM FRAUD CIVIL REMEDIES ACT REGULATIONS

Sec.

OVERVIEW AND DEFINITIONS

- 2554.1 Overview of regulations.
- 2554.2 What kind of conduct will result in program fraud enforcement?
- 2554.3 What is a claim?
- 2554.4 What is a statement?
- 2554.5 What is a false claim or statement?
- 2554.6 What does the phrase "know or have reason to know" mean?

PROCEDURES LEADING TO ISSUANCE OF A COMPLAINT

- 2554.7 Who investigates program fraud?
- 2554.8 What happens if program fraud is suspected?
- 2554.9 Who is the Corporation's authority head?
- 2554.10 When will the Corporation issue a complaint?
- 2554.11 What is contained in a complaint?
- 2554.12 How will the complaint be served?

PROCEDURES FOLLOWING SERVICE OF A COMPLAINT

- 2554.13 How does a defendant respond to the complaint?
- 2554.14 What happens if a defendant fails to file an answer?
- 2554.15 What happens once an answer is filed?